

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

DEC 20 2006

JOHN F. CORCORAN, CLERK
BY: *S. Taylor*
DEPUTY CLERK

In accordance with the accompanying memorandum opinion, it is now

ORDERED

that the plaintiff's complaint shall be and hereby is **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1), and **STRICKEN** from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 20th day of December, 2006.

John C. Moore

United States District Judge